



# PAN AM RAILWAYS

IRON HORSE PARK  
No. BILLERICA, MA 01862

RECEIVED

JUN 23 2014

OFFICE OF TOWN MANAGER

---

---

EXECUTIVE DEPARTMENT  
(978) 663-1028

June 19, 2014

Ms. Jodi Ross  
Town Manager  
Town of Westford  
Town Hall  
55 Main Street  
Westford, MA 01886

*Re: May 6, 2014 Meeting*

Dear Ms. Ross:

Thank you for your letter to Mr. Fink summarizing the meeting held at your offices between Pan Am Railways, yourself and other local, state and federal officials. I believe the meeting was very productive and successful in identifying the key concerns of all involved parties. In response, I can assure you that Pan Am has considered each of the issues raised at the meeting, and I trust that this correspondence will be a satisfactory response to those issues.

As you noted at the meeting and in your letter, the Federal Railroad Administration has indeed issued OST-2014-0067 (the "Rules") relating to the sharing of information relating to railroad transport of certain materials. While the Rules relate specifically to transportation of Bakken Crude Oil, and not all hazardous materials, Pan Am believes that the Rules and AAR Circular OT-55-N (the "AAR Circular") provide a framework for better coordination of communications at the state and regional government level, which in turn could result in more

information flowing through these agencies to towns such as Westford. Toward that end, Pan Am responded to the appropriate agencies in accordance with the Rules, and has also requested that those agencies contact us to begin a constructive dialogue to effectively improve communication relating to training, hazardous materials transport and other information sharing.

While this program is being initiated, please also note that PAR is in the process of publishing to its website the 25 most common hazardous materials transported by Pan Am over its system in 2013, though you should be aware that this information is not necessarily indicative of future shipments. It is Pan Am's belief that sharing this information in this manner is an important first step in establishing a state and regional protocol that would more efficiently serve your community and the hundreds of others through which Pan Am operates. Pan Am is also working with the Massachusetts State Emergency Response Commission to develop a program for providing more specific information to state and regional agencies in the future. Pan Am believes that this overall approach is also supported by the focus of the Rules and the AAR Circular on information sharing at the state and regional level.

Pan Am also remains committed to continuing its existing training programs and I hope that Westford will become more involved with the programs offered going forward. In an effort to further assist Westford in properly understanding and responding to derailments Pan Am is also willing to pay the tuition for a Westford firefighter to attend relevant training at the Security and Response Emergency Training Center in Pueblo, Colorado. As you requested, additional information regarding this training can be found at the following website: <http://sertc.org/courses/>. I look forward to hearing more from you on this topic.

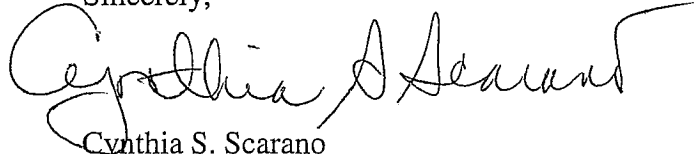
With regard to your other issues of concern, Ms. Scarano has reviewed multiple locomotive event recorders to determine if whistle blowing by trains in Westford is excessive. As a result of this review, I can assure you that our trains comply with federal whistle blowing requirements throughout our system, and there is no indication of excessive whistle blowing in Westford. In addition, I am also pleased to report that the siding on which the February derailment occurred has been completely repaired, including the conditions believed to be the original cause of the derailment. Additionally, Pan Am is also reviewing its derailment reporting protocols, and believes that a great deal of the uncertainty surrounding the February 19<sup>th</sup> derailment related to the presence of hazardous materials cars in the train, even though there was no threat of release of the material. Therefore, to avoid any confusion in the future, Pan Am will contact the Massachusetts State Emergency Response Commission in the event of a derailment in the Commonwealth involving: (a) placarded hazardous materials cars; (b) more than five (5) freight cars; and/or (c) a release or threat of release of hazardous materials. Additionally, we note that all Pan Am training programs provide multiple emergency contact phone numbers, and Westford is free to utilize these numbers to obtain additional information in the event of a derailment if notice from Pan Am is not warranted.

As a final matter, Pan Am continues to be open to having Conservation Commission members accompany our weed spraying contractor during yearly applications. To assist with achieving this goal in the future, we have reached out to our contractor to determine the best course of action in the future. Given that Westford receives an annual notification of weed spraying activities within the Town at least 45 days before any application, I would suggest that

next year Westford begin planning any inspections as soon as this notice is received. In the interim, Pan Am remains willing to conduct a tour of the areas where weed spraying was done this year, and ask that you have the Conservation Commission contact Ms. Scarano to arrange such a tour.

Thank you again for arranging the meeting on May 6<sup>th</sup>. Please feel free to contact me if you should have any questions or comments.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Cynthia S. Scarano', written in dark ink.

Cynthia S. Scarano  
Executive Vice President

**Cc:**

**Senator Ed Markey**  
**Senator Elizabeth Warren**  
**Congresswoman Niki Tsongas**  
**Senator Eileen Donoghue**  
**State Representative James Arciero**  
**Westford Board Of Selectman**  
**Fredrick D. Fraini Jr, U.S. Department of Transportation**  
**Steve Johnson, DEP**  
**Zac Cataldo, Chairman, Board of Health**  
**Fire Chief Joe Tard**